

EXHIBIT 1

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From: **Matthew Butterick** <mb@mbtype.com>

Date: Mon, Oct 17, 2022 at 3:29 PM

Subject: I've joined a litigation team that is investigating GitHub Copilot

To: REDACTED

In June, I wrote a piece called [This copilot is stupid and wants to kill me](#). It was about [GitHub Copilot](#), an AI-based programming tool released by Microsoft that in my view was “vigorously violating open-source licenses”.

Since then, my view has not changed. Neither has Copilot. Meanwhile, I met some lawyers at the [Joseph Saveri Law Firm](#) who agreed. So for the first time in many years, I've put on my serious-lawyer pants, and today I'm releasing a sequel to that piece, announcing our investigation of GitHub Copilot:

<https://githubcopilotinvestigation.com/>

“But I'm not an open-source software programmer or Copilot user. How can I help?”

Please spread the word! Friends, even if you don't really understand what open-source software is, know this: open-source software is everywhere, and you depend on it. [The core of Mac OS](#) is open source. [Linux is open source](#). [Android is open source](#). [Mozilla Firefox](#) is open source. Most programming languages (like [Racket](#)) are open source. Key tools for AI, like [TensorFlow](#) and [PyTorch](#), are open source. The vast majority of websites

are built on open-source software.

GitHub Copilot is apparently violating huge numbers of open-source licenses simultaneously, taking the benefits of the code while ignoring the legal rights of the authors (most of whom contribute their time and expertise for free). Of the [many attacks](#) Microsoft has launched against open source during the last 20+ years — its former CEO [called it a “cancer”](#) — this is among the worst.

I’ve been a member of the open-source community for nearly 25 years. Open source has been very good to me — among other things, I paid for [law school](#) with savings from my job at open-source pioneer [Red Hat](#). So really, without open source, there would be no [Typography for Lawyers](#), no [Practical Typography](#), and no [Pollen](#). Gosh, it’s hard to even imagine what I’d be doing all day. So it was an easy decision to sign onto this project.

In addition to the serious-lawyer pants, my serious-lawyer email address has also been reactivated: mb@buttericklaw.com. I look forward to hearing from any of you who can contribute to the investigation.

(The usual disclaimer: I am not your lawyer, nor anyone’s lawyer, and you should not take anything in this message as legal advice.)

[MB XS](#) by Matthew Butterick

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